

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, DECEMBER 19, 2012**

A Regular Council meeting was held on Wednesday, December 19, 2012 in Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Terry Dowdall
Deputy Mayor Sandie Macdonald
Councillor Keith White
Councillor Michael Smith
Councillor Ron Henderson

Staff in attendance: G. Murphy, Chief Administrative Officer
J. Barrett, Treasurer/Deputy CAO
C. Healey, Manager of Planning and Development
D. Perreault, Manager of Public Works
P. Macdonald, Fire Chief
B. Sander, Clerk

1. OPENING OF MEETING BY THE MAYOR

Mayor Dowdall opened the Regular Council meeting at 4:12 p.m.

12. CLOSED SESSION

Resolution No: CR326-2012 Moved by: Macdonald Seconded by: Henderson

Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to a proposed or pending acquisition or disposition of land for Municipal or local board purposes; and, advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

Council arose from closed session and adopted the following resolutions:

- a. Solicitor-Client Privilege
Email from Heenan Blaikie
Re: Legal Matter**

Resolution No: CR327-2012 Moved by: Macdonald Seconded by: Henderson

Be it resolved that the verbal report from the Chief Administrative Officer be received; and That the Chief Administrative Officer be authorized to proceed with this matter as directed by Council.

----Carried----

- b. Potential Land Disposition
Staff Report CAO058-12 submitted by the Chief Administrative Officer,
Re: Unopened Portion of the 10th Sideroad between County Road 10 and
the CPR.**

Resolution No: CR328-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that Staff Report CAO058-12 be received; and That the Chief Administrative Officer be authorized to proceed with this matter as directed by Council.

----Carried----

c. Motion to Suspend

Resolution No: CR329-2012 Moved by: Seconded by:

Be it resolved that Council move to suspend the Regular Meeting of Council until 6:00 p.m.

----Carried----

Council resumed its Regular Meeting of Council at 6:38 p.m. following Committee of the Whole.

2. DISCLOSURE OF PECUNIARY INTEREST

Mayor Dowdall and Deputy Mayor Macdonald declared a conflict of interest on Item 3 (Minutes of the Special Meeting of Council held on the 3rd day of December, 2012) as they each have a familial relationship with a member of staff. They did not vote or take part in any discussion on this Item.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Councillor Henderson assumed the position of Chair for this portion of the meeting.

Resolution No: CR330-2012 Moved by: Smith Seconded by: White

Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and

That the minutes of the Special Meeting of Council (Budget) held on the 3rd day of December, 2012 be adopted as circulated; and

That the minutes of the two Public Meetings held on the 5th day of December, 2012 be adopted as circulated; and

That the minutes of the Committee of the Whole, and Regular Council meetings held on the 5th day of December, 2012 be adopted as circulated.

----Carried----

Mayor Dowdall resumed the position of Chair for the remainder of the meeting.

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: CR331-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that payments dated November 30, 2012 to December 12, 2012 in the amount of \$415,129.86 be approved; and

That visa payments dated August 16, 2012 to September 15, 2012 with a payment date of October 6, 2012 in the amount of \$15,708.12 be approved; and

That visa payments dated September 16, 2012 to October 15, 2012 with a payment date of November 5, 2012 in the amount of \$10,619.28 be approved; and

That the EFT payment transferred December 12, 2012 for the OMERS November 2012 remittance in the amount of \$49,160.30 be approved.

----Carried----

5. CONSENT AGENDA

Resolution No: CR332-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that the items listed in the Consent Agenda dated December 19, 2012 be approved as presented, and that the necessary action be taken.

----Carried----

6. COMMITTEE REPORTS**a. Parks and Recreation Committee**

Resolution No: CR333-2012 Moved by: Macdonald Seconded by: Henderson

Be it resolved that the minutes of the Parks and Recreation Committee dated November 23, 2012 be received.

----Carried----

7. PETITIONS**8. MOTIONS AND NOTICES OF MOTIONS****a. Joint Policing Contract with the Ontario Provincial Police**

Resolution No: CR334-2012 Moved by: Macdonald Seconded by: Smith

Whereas Council executed an Agreement for the provision of Tri-Municipal Policing with the Town of New Tecumseth, the Township of Adjala-Tosorontio and the Township of Essa in the form of By-law 2004-19 which was passed on March 31, 2004; Now therefore be it resolved, subject to the approval of all municipal parties, that Council consider enacting a By-law for the execution of an Agreement between the Minister of Community Safety and Correctional Services, the Township of Adjala-Tosorontio, the Town of New Tecumseth and the Township of Essa for a Joint Policing Contract for a five-year term commencing the 1st day of April, 2013 and ending on the 31st day of March, 2018.

----Carried----

b. Reduction of Securities – Egbert Estates Subdivision

Resolution No: CR335-2012 Moved by: Macdonald Seconded by: White

Be it resolved that the securities be reduced in connection with the Egbert Estates Subdivision, as recommended by the Township Engineer, as follows:

<i>Current securities being held by Township</i>	<i>\$701,947.06</i>
<i>Less AECOM's recommended reduction</i>	<i><u>394,759.72</u></i>
<i>Securities to be retained</i>	<i>\$307,187.34</i>

and;

That a Statutory Declaration indicating that all accounts have been paid in full including all of the Township's legal and engineering costs and a Certificate of Substantial Performance has been received.

----Carried----

c. Expression of Interest – Municipal Infrastructure Investment Initiative Capital Program

Resolution No: CR336-2012 Moved by: Macdonald Seconded by: White

Be it resolved that the Corporation of the Township of Essa supports an Expression of Interest to apply for funding for the rehabilitation and widening of the 5th Line Bridge, south of 25th Sideroad (Structure No. 9), under the Municipal Infrastructure Investment Initiative Capital Program; and,

That the Corporation of the Township of Essa does hereby declare that the information in the Expression of Interest is factually accurate; and,

That the Corporation of the Township of Essa is committed to developing a comprehensive asset management plan that includes all of the information and analysis described in "Building Together: Guide for Municipal Asset Management Plans by December 13, 2013".

----Carried----

d. Naming of Newly Planned Street – "Milson Crescent"

Resolution No: CR337-2012 Moved by: Macdonald Seconded by: White

Whereas Council has established a street naming protocol to preserve the history of the Township through street names; and,

Whereas Council makes an effort to name streets after those considered to have made a significant contribution to the Municipality;

Now therefore be it resolved that the Township will name the newly planned street in the proposed Maple Lane Subdivision located on Centre Street in Angus as "Milson Crescent" after Mervin Milson; and,

That the Developer, Staff and Agencies involved with the implementation of the naming of streets and affected practice be notified immediately.

----Carried----

e. Rooftop Solar Panels

Resolution No: CR338-2012 Moved by: Henderson Seconded by: White

Whereas the Township of Essa supports the responsible expansion of renewable energy as a means of placing Ontario on a more sustainable path for the future; and,

Whereas the Province's Feed-In-Tariff (FIT) program encourages the construction and operation of rooftop solar generation projects ("Rooftop Solar Projects"); and,

Whereas it is likely that one or more Rooftop Solar Projects will be considered for construction and operation in the Township of Essa; and,

Whereas pursuant to the rules governing the FIT Program, applicants whose Rooftop Solar Projects receive the support of municipalities will be awarded priority points which may result in these applicants being offered a FIT contract by the Province prior to other persons applying for FIT contracts; and

Whereas the Building Code Act, 1992, S.O. 1992, c.23, as amended, applies to renewable energy projects and, as such, each Rooftop Solar Panel Project will require a building permit issued by the Township of Essa's Building Department;

Now therefore be it resolved that the Council the Corporation of the Township of Essa does hereby support the construction and operation of Rooftop Solar Panels in areas zoned only as agricultural.

----Carried----

9. UNFINISHED BUSINESS**10. BY-LAWS****a. By-law 2012-68**

Resolution No: CR339-2012 Moved by: Macdonald Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2012-68, being a by-law to remove Lots 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98 and 99, on Plan 51M-844, Nottawasaga Village Subdivision, from the Part Lot Control Provisions of the Planning Act; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

11. QUESTIONS**a. Budget**

A member of the Press asked Council if they were happy with the budget. It was stated that the budget levy will be set at an approximate 5% increase with 2% increase for assessment growth.

13. CONFIRMATION BY-LAW**By-law 2012 – 69**

Resolution No: CR340-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2012 - 69 , being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 19th day of December, 2012; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

14. ADJOURNMENT

Resolution No: CR341-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 6:50 p.m. to meet again on the 16th day of January, 2013 following Committee of the Whole.

----Carried----

Original signed by:

Terry Dowdall
Terry Dowdall, Mayor

Bonnie Sander
Bonnie Sander, Clerk